IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1746 OF 2005

Shri Madhukar Chendiram Shinde ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.U.B.Nighot for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

APRIL 7, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The Applicant has been arrested in connection with C.R.No.2 of 2005 registered with Junnar Police Station for offence punishable under Section 20(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985. The Applicant was found in possession of 3 kg & 700 gms. of

ganja plants, when raid was conducted in his farm.

3. For the nature of offence, it is not in dispute that Section 37 of the Act has no application. The quantity recovered from the Applicant is not commercial quantity. Besides, the offence for which the Applicant is proceeded under Section 20(A), is punishable with rigorous imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both. The Applicant is already in custody since 14th February 2005. Accordingly, the Applicant deserves to be enlarged on bail, but on following conditions:

(a) The Applicant is directed to be released on bail in connection with C.R.No.2 of 2005 registered with Junnar Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with one or two local sureties in the like amount.

(b) The Applicant shall not influence the prosecution witnesses or tamper with the

prosecution evidence in any manner whatsoever.

(c) The Applicant shall regularly report to the concerned Police Station once in a month on first Sunday of every English Calendar month, till the filing of the charge-sheet.

(d) The Applicant shall not indulge in similar activity in future, while on bail.

(e) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.